

REMARKS

The Examiner is concerned that the independent claims do not clearly require the presence of a sterically bulky substituent group as R¹ or R². It was believed that the last two lines of the claim make it clear that at least one of the R¹ or R² substituents must be this substituent. Applicants wish to thank the Examiner for pointing out this lack of clarity. The main claim has now been amended where R¹ and R² are described to insure that at least one of them is non-zero to be more clearly consistent with the rest of the description. This should resolve the Examiner's concern about both p and w being 0.

Claim 1 has also been amended to provide that the compound of formula (1) is present in a hole transport layer (not a light emitting layer.) Claim 1 has further been modified to provide that the core naphthalene group does not bear an annulated ring. None of the inventive examples show such an annulated ring.

Claim 17 has been cancelled as a duplicate of Claim 16. Claims 26 and 27 have been canceled.

Claims 1, 3-5, 21, 26, 27, 30, 32 and 33 stand rejected under 35 U.S.C. 102(b) as being anticipated by Enokida et al. (US 5,759,444). None of the examples relied on by the Examiner contain a sterically bulky substituent as now clearly required by the claims. Accordingly, there is no anticipation.

Claims 1-4, 6-11, 21, 22, 24-27, 30, 32 and 33 stand rejected under 35 U.S.C. 102(e) as being anticipated by Matsuura et al. (US 2005/0064233 A1). The Examiner relies on the following example materials of Matsuura: EM80, EM81, EM83, EM84, EM127, EM128, EM129, EM130, EM161, EM183, EM184 and EM192 on pages 19, 20, 26, 31, 35 and 37. It is noted further that Matsuura is directed to the inclusion of the claimed materials in a light emitting layer. The present claims are directed to a hole transport layer, not an emitting layer. Further, it appears that the amounts of the aryl amine component "A" are 1-20%, in the range of an emitting dopant.

Additionally, many of the Matsuura compounds do not contain the requisite sterically bulky group, and others contain a non-permitted ring annulated to the naphthalene ring. It is believed that the Matsuura reference does not

suggest in any way the use of naphthyl diamines, used in their invention as the emitter in an emitting layer, in a hole transport layer.

Claims 1, 3-5, 15, 21, 26-30, 32 and 33 stand rejected under 35 U.S.C. 102(a) and 35 U.S.C. 102(e) as being anticipated by Parton et al. (US 2003/0129449 A1). None of the compounds of the earlier Parton publication disclose the requisite sterically bulky group and also no annulation to the naphthalene ring. accordingly there is no anticipation.

Claims 1-27, 30, 32 and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuura et al. (US 2005/0064233 A1) as applied to claims 1-4, 6-11, 21, 22, 24-27, 30, 32 and 33 above, and for the further reasons set forth below. Matsuura does not suggest the use of the compounds useful in the invention in a hole transport layer. It is not seen how one skilled in the art would be motivated to use such a compound in a hole transport layer when it is only shown to be an emitting compound in an emitting layer.

Claims 1-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Parton et al. (US 2003/0129449 A1) as applied to claims 1, 3-5, 15, 21, 26-30, 32 and 33 above, and for the further reasons alone. According to the Examiner:

Parton et al. do not disclose a specific example of a naphthalene compound represented by present formulae (1), (3) or (4) wherein at least one of p and w is 1-3, and at least one of R¹ and R² is a sterically bulky substituent. However, such compounds are within the scope of Parton's disclosure. Substituents which are sterically bulky substituents are explicitly taught by Parton et al. See paragraph [0050]. An alkyl group such as "t-butyl", which has a Sterimol B₁ value of 2.59 and is a substituent represented by present Formula (2a), is taught in paragraph [0050]. An aryl group such as "2,4,6-trimethylphenyl", also known as "mesityl", which has a Sterimol B₁ value of 1.93 and is a substituent represented by present Formula (2b), is taught in paragraph [0050].

It would have been an obvious modification to one of ordinary skill in the art at the time of the invention to make compounds similar to those disclosed by Parton et al. and including other substituents disclosed and suggested in the prior art. For example, it would have been an obvious modification to one of ordinary skill in the art at the time of the invention to make compounds similar to those disclosed in paragraph [0049] and having substituents such as t-butyl and/or 2,4,6-trimethylphenyl groups since Parton et al. teach that these groups may be used as substituents.

It is noted that the paragraph of the earlier Parton publication relied on by the Examiner is a laundry list or shotgun disclosure of substituents. See *Becket v. Coe*, 38 USPQ 26 regarding a "shotgun" disclosure. One focus of the present application is the inclusion of a sterically bulky substituent on the naphthalene nucleus of the amine. There is no motivation in the prior patent to pick that type of substituent for the naphthalene location. The present application provides comparative data in Table 1 at page 45. The comparison material Com 1 contains no bulky group. When the bulky substituent Inv-1 is compared to the check Com-1, in Samples 1 vs 2, 4 vs. 5, and 6 vs 7, the material with the bulky substituent is superior in each instance. There is no suggestion in the Parton publication of any particular advantage of a bulky substituent. Accordingly, it is submitted that the selection of the invention is unobvious and there is not motivation to arrive at the selection.

Claims 1-33 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-25 of U.S. Patent No. 6,849,345 B2. A Terminal Disclaimer suitable for overcoming this rejection is enclosed herewith.

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Kluegel', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Encl: Terminal Disclaimer